

Notice of Allowability

Application No.

10/078,366

Examiner

Joseph R. Maniwang

Applicant(s)

KEANE ET AL.

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/23/08.
2. ☒ The allowed claim(s) is/are 31-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20080201.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Attorney Trenton Roche (Reg. 61,164) on 02/01/08.
3. The application has been amended as follows:

Claims:

31. (Currently Amended) A network, comprising:
a first processor ~~having a first address on a first network~~ that has a first address range;
a second processor ~~having a second address on a second network~~ that has a second address range; and
a third processor on a third network that has a third address range, other than the first and second processors, that detects a conflict between the first address range and the second address range prior to communication between with the first processor network and the second network and resolves the conflict based on address translation information retrieved using a virtual address of a tunnel established between the other

third processor and the first network-processor, such that communication between the first processor network and the third network and communication between the second network and the third network is enabled[.].

wherein the third processor detects the conflict between the first address range and the second address range by receiving the first address range and the second address range, comparing the first address range and the second address range, and determining an overlap in the first address range and the second address range, and the third processor determines at least one translated address without regard to the first network and second network, such that the conflict is resolved locally on the third network other than the first network and second network.

32. (Currently Amended) The network of claim 31, wherein the ~~other~~third processor determines a translated address based on the virtual address of the tunnel and forwards one or more packets to the second network based on the translated address.

33. (Currently Amended) The network of claim 31, wherein the ~~other~~third processor functions as a gateway.

34. (Currently Amended) The network of claim 31, wherein the ~~other~~third processor resolves the conflict based on another virtual address of another tunnel established between the ~~other~~third processor and the second network.

35. (Canceled)

54. (Canceled)

55. (Canceled)

Allowable Subject Matter

4. Claims 31-34 are allowed.

5. The following is an examiner's statement of reasons for allowance:

6. The closest prior art is Tuomenoksa (U.S. Pat. No. 7,028,334). Tuomenoksa generally disclosed a method and system comprising detecting an addressing conflict between a first address of a first processor and a second address of a second processor (see column 22, line 21; column 48, lines 40-51); associating a tunnel ID with the detected addressing conflict (see column 48, lines 23-46); receiving from the first processor one or more packets forming a tunnel (see column 47, lines 30-33); removing from the one or more packets information about the tunnel, the removed tunnel information including a virtual address of the tunnel (see column 47, lines 45-60); determining that the one or more packets are associated with the detected addressing conflict by determining that the removed virtual address corresponds to the tunnel ID associated with the detected addressing conflict (see column 49, lines 20-36); determining a translated address based on the removed virtual address (see column 49, lines 20-36); and forwarding the one or more packets based on the translated address (see column 49, lines 20-36).

7. The prior art references of record do not teach alone or in combination all the limitations together within independent claim 31. For example, independent claim 31 describes a system in which a conflict between a first and second processor respectively residing on a first and second network can be detected and resolved by a third processor on a third network. The conflict, as recited in the claim, is an overlap of address ranges (Specification, p. 5, paragraph [020]). While Tuomenoksa discloses the same conflict (see column 48, lines 47-60), detection and resolution of such a conflict in the prior art reference is made between the 1st and 2nd processors. The claimed invention is novel in that detection and resolution of such a conflict occurs locally on a 3rd processor on a separate 3rd network prior to communication between the 1st network and 2nd network, enabling communication through tunnels established between the 3rd network and the 1st network, and the 3rd network and the 2nd network through the use of a translated address range. Support for this functionality can be found in the Specification on p. 9, paragraph [037]-[042] and Fig. 4. Tuomenoksa describes conflict detection/resolution between a 1st and 2nd processor/network, void of the separate 3rd processor/network as required by the claims. Therefore, in light of these features in combination with the other features recited in the claim, independent claim 31 has allowable subject matter and is allowable over the prior art of record. The dependent claims of this claim are also allowable.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

9. Following the interview conducted 01/14/08 and the interview conducted 02/01/08 in which Applicant authorized Examiner's Amendment of the claims, the rejection of claims 31-35, 45, and 55 has been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

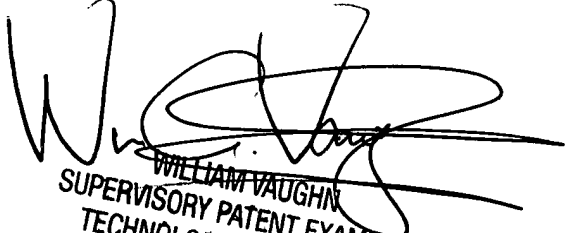
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM


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